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BOSE MCKINNEY & EVANS LLP
JAMES COLES
135 N PENNSYLVANIA ST
SUITE 2700
INDIANAPOLIS IN 46204

COPY MAILED

FEB 16 2007

OFFICE OF PETITIONS

In re Application of :
Alfred Wenger et al :
Application No. 10/656,340 : DECISION GRANTING PETITION
Filed: September 5, 2003 : UNDER 37 CFR 1.137(b)
Attorney Docket No. 9092-0158 :

This is a decision on the petition under 37 CFR 1.137(b), filed October 11, 2006, to revive the above-identified application.

The petition is **GRANTED**.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Since the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of the issue fee and publication fee; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the Notice of Allowance of March 1, 2006 is accepted as having been unintentionally delayed.

If the person signing the instant petition desires to receive future correspondence regarding this application, the appropriate power of attorney or authorization of agent must be submitted. While a courtesy copy of this decision is being mailed to the person signing the instant petition, all future correspondence will be directed to the address currently of record until such time as appropriate instructions are received to the contrary.

Additionally, petitioner should note that the power of attorney submitted on August 12, 2005 was not accepted because the certificate required by 37 CFR 3.73(b) has not been received. See notice mailed August 29, 2005.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.

This matter is being referred to Patent Publication.



Karen Creasy
Petitions Examiner
Office of Petitions

cc:
BACON & THOMAS
625 SLATERS LANE, FOURTH FLOOR
ALEXANDRIA VA 22314